



General Assembly

Substitute Bill No. 459

February Session, 2008

* SB00459PH_APP030708 *

**AN ACT PROMOTING THE EARLY DETECTION, DIAGNOSIS AND
TREATMENT OF LUNG CANCER, BREAST CANCER AND CERVICAL
CANCER.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (a) of section 19a-266 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2008*):

4 (a) For purposes of this section:

5 (1) "Breast cancer screening and referral services" means necessary
6 breast cancer screening services and referral services for a procedure
7 intended to treat cancer of the human breast, including, but not limited
8 to, surgery, radiation therapy, chemotherapy, hormonal therapy and
9 related medical follow-up services.

10 (2) "Cervical cancer screening and referral services" means necessary
11 cervical cancer screening services and referral services for a procedure
12 intended to treat cancer of the human cervix, including, but not limited
13 to, surgery, radiation therapy, cryotherapy, electrocoagulation and
14 related medical follow-up services.

15 (3) "Unserved or underserved populations" means women who are:
16 (A) At or below two hundred fifty per cent of the federal poverty level

17 for individuals; (B) without health insurance that covers breast cancer
18 screening mammography or cervical cancer screening services; and (C)
19 nineteen to sixty-four years of age.

20 Sec. 2. (*Effective July 1, 2008*) Notwithstanding the provisions of
21 section 4-28e of the general statutes, for the fiscal year ending June 30,
22 2009, the sum of fifteen million, seven hundred fifty thousand dollars
23 shall be transferred from the Tobacco and Health Trust Fund to the
24 Department of Public Health to provide funding for cancer prevention
25 programs and initiatives that promote the early detection, diagnosis
26 and treatment of lung cancer, breast cancer and cervical cancer and are
27 a critical component piece of the state's comprehensive cancer plan
28 established pursuant to section 19a-73a of the general statutes.

29 Sec. 3. Subsections (a) and (b) of section 17b-278b of the general
30 statutes are repealed and the following is substituted in lieu thereof
31 (*Effective July 1, 2008*):

32 (a) The Commissioner of Social Services shall provide coverage
33 under the Medicaid program in accordance with Public Law 106-354 to
34 women diagnosed with breast or cervical cancer. The commissioner
35 shall seek any federal waivers or amend the state Medicaid plan as
36 necessary in order to secure federal reimbursement for the costs of
37 providing coverage under the Medicaid program to such women. Such
38 coverage shall not be dependent on the available income or assets of an
39 applicant. In addition, such coverage shall not be dependent on
40 whether a provider of screening services receives funds pursuant to
41 the Centers for Disease Control and Prevention's National Breast and
42 Cervical Cancer Early Detection Program.

43 (b) To qualify for medical assistance under this section, a woman
44 shall: (1) Have been screened for breast or cervical cancer by a
45 provider who adheres to guidelines established under the Centers for
46 Disease Control and Prevention's National Breast and Cervical Cancer
47 Early Detection Program and found to be in need of treatment for
48 breast or cervical cancer, including a precancerous condition of the

49 breast or cervix; (2) not otherwise have creditable coverage, as defined
50 in 42 USC 300gg(c); (3) not have attained the age of sixty-five years; (4)
51 not be eligible under any mandatory Medicaid eligibility group; and
52 (5) be a resident of this state and a United States citizen or a qualified
53 alien, as defined in Section 431 of Public Law 104-193.

54 Sec. 4. Subsections (c) and (d) of section 19a-266 of the general
55 statutes are repealed and the following is substituted in lieu thereof
56 (*Effective July 1, 2008*):

57 (c) The program shall include, but not be limited to:

58 (1) Establishment of a public education and outreach initiative to
59 publicize breast cancer and cervical cancer early detection services and
60 the extent of coverage for such services by health insurance; the
61 benefits of early detection of breast cancer and the recommended
62 frequency of screening services, including clinical breast examinations
63 and mammography; and the medical assistance program and other
64 public and private programs and the benefits of early detection of
65 cervical cancer and the recommended frequency of pap tests;

66 (2) Development of professional education programs, including the
67 benefits of early detection of breast cancer and the recommended
68 frequency of mammography and the benefits of early detection of
69 cervical cancer and the recommended frequency of pap tests;

70 (3) Establishment of a system to track and follow up on all women
71 screened for breast cancer and cervical cancer in the program. The
72 system shall include, but not be limited to, follow-up of abnormal
73 screening tests and referral to treatment when needed and tracking
74 women to be screened at recommended screening intervals;

75 (4) Assurance that unserved and underserved populations have
76 access to services from a broad array of health care providers,
77 including, but not limited to, community health centers and that all
78 participating providers of breast cancer and cervical cancer screening
79 are in compliance with national and state quality assurance legislative

80 mandates.

81 (d) The Department of Public Health shall provide unserved or
 82 underserved populations, within existing appropriations and through
 83 contracts with a broad array of health care providers, including, but
 84 not limited to, community health centers: (1) Clinical breast
 85 examinations, screening mammograms and pap tests, as
 86 recommended in the most current breast and cervical cancer screening
 87 guidelines established by the United States Preventive Services Task
 88 Force, for the woman's age and medical history; (2) a sixty-day follow-
 89 up pap test for victims of sexual assault; and (3) a pap test every six
 90 months for women who have tested HIV positive.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2008</i>	19a-266(a)
Sec. 2	<i>July 1, 2008</i>	New section
Sec. 3	<i>July 1, 2008</i>	17b-278b(a) and (b)
Sec. 4	<i>July 1, 2008</i>	19a-266(c) and (d)

PH

Joint Favorable Subst. C/R

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